


at least one opportunity to cure pleading deficiencies before dismissing a case, unless it is clear that the defects are incurable or the plaintiffs advise the court that they are unwilling or unable to amend in a manner that will avoid dismissal.” *Great Plains Tr. Co. v. Morgan Stanley Dean Witter & Co.*, 313 F.3d 305, 329 (5th Cir. 2002). This is the first time the Court has dismissed any claims in this case, and Morrison has not provided a substantial reason to deny Plaintiff an opportunity to amend. Accordingly, permitting a limited amendment is proper. *See, e.g., Flores v. Act Event Servs., Inc.*, 55 F. Supp. 3d 928, 940–41 (N.D. Tex. 2014) (granting leave to amend *sua sponte*); *Brothers v. Print, Inc.*, No. 3:07-CV-0415-B, 2007 WL 3331974, at *9 (N.D. Tex. 2007) (same).

Having made a *de novo* review of the objections raised by Morrison to the Magistrate Judge’s Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and Morrison’s objections are without merit. The Court therefore adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

Accordingly, it is hereby **ORDERED** that the Report and Recommendation (Docket No. 84) be **ADOPTED**. It is further

ORDERED that Defendant Shelli Morrison’s Motion to Dismiss (Docket No. 31) is **GRANTED**. Plaintiff’s claims are **DISMISSED WITHOUT PREJUDICE** to repleading as to the specific issues addressed in the Magistrate Judge’s Report.

So **ORDERED** and **SIGNED** this **26th** day of **March, 2020**.


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE